

tively, consigned between the dates of September 4 and October 15, 1924, alleging that the article had been shipped by Wakefield & Co., in part from Anacortes, Wash., and in part from Seattle, Wash., and transported from the State of Washington into the State of West Virginia and charging adulteration in violation of the food and drugs act. The article was labeled in part, variously: "Alex Brand Pink Salmon * * * Distributed by Wakefield & Company Seattle, Wash. U. S. A."; "Tennis Brand Pink Salmon Packed For J. L. Smiley & Co. Seattle"; "Soo-Pere-Yor Brand Pink Salmon * * * Distributed by Wakefield & Company, Seattle"; "Hypatia Brand Pink Salmon Packed For J. L. Smiley & Co. Seattle, Wash."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed and putrid animal substance.

On January 8, 1925, J. L. Smiley & Co., Seattle, Wash., having appeared as claimant for the property, judgment was entered, finding a portion of the product to be subject to condemnation, and it was ordered by the court that the said portion be released to the claimant upon the execution of a good and sufficient bond, the terms of said bond requiring that the product be salvaged or reconditioned to the satisfaction of this department. The remainder of the product was released unconditionally.

W. M. JARDINE, *Secretary of Agriculture.*

14444. Misbranding of butter. U. S. v. Swift & Co. Plea of guilty. Fine, \$150. (F. & D. No. 19692. I. S. No. 23476-v.)

On December 22, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Swift & Co., a corporation, Seattle, Wash., alleging that on or about June 25, 1925, the said company had sold under a guaranty that the article would meet the requirements of the food and drugs act, a quantity of butter which was misbranded within the meaning of said act, and that on or about June 25, 1925, and subsequent to said sale and guaranty, the article was delivered by the purchaser thereof to a common carrier at Seattle, Wash., for shipment into the Territory of Alaska, in further violation of said act. The article was labeled in part: "Brookfield Creamery Butter Swift & Company * * * 2 Lbs. Net Weight."

Examination by the Bureau of Chemistry of this department of 48 tins of the article showed an average net weight of 1 pound 14.7 ounces.

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "2 Lbs. Net Weight," borne on the tins containing the said article, was false and misleading, in that the said statement represented that the tins each contained 2 pounds of butter, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the tins each contained 2 pounds of butter, whereas they did not but did contain a less amount.

On January 26, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

14445. Misbranding of flour. U. S. v. Sterling Mills, Inc. Plea of guilty. Fine, \$50. (F. & D. No. 19706. I. S. Nos. 3701-v to 3706-v, incl., 16523-v, 16525-v.)

On April 19, 1926, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sterling Mills, Inc., a corporation, Statesville, N. C., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about August 22 and 26 and September 3, 1924, respectively, from the State of North Carolina into the State of South Carolina, of quantities of flour which was misbranded. The article was labeled in part: "Sterling Mills Inc." and "Famous Self-Rising Flour" or "Sterling Flour." The various sized packages were further labeled: "48 Lbs. When Packed" or "24 Lbs. When Packed" or "12 Lbs. When Packed," as the case might be.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "48 Lbs.," "24 Lbs." and "12 Lbs.," borne on the respective-sized sacks containing the said article, were false and misleading, in that the said statements represented that the sacks contained 48 pounds, 24 pounds, or 12 pounds, of flour, as the case might be, and for the further reason that the

article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said sacks contained 48 pounds, 24 pounds, or 12 pounds, of flour, as the case might be, whereas the sacks did not contain the amount represented on the label but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 20, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

14446. Adulteration of blue cohosh. U. S. v. Allaire, Woodward & Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 19619. I. S. No. 22615-v.)

On May 6, 1925, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Allaire, Woodward & Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the food and drugs act, on or about June 11, 1924, from the State of Illinois into the State of Alabama, of a quantity of blue cohosh which was adulterated. The article was labeled in part: "Grd. Blue Cohosh."

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary and differed from the standard of strength, quality and purity as determined by the test laid down in said formulary, official at the time of investigation of the article, in that it yielded 14.19 per cent of ash, whereas the National Formulary provided that blue cohosh should yield not more than 6 per cent of ash.

On May 28, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

W. M. JARDINE, *Secretary of Agriculture*

14447. Adulteration of tomato puree. U. S. v. 798 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20853. I. S. No. 1481-x. S. No. C-4946.)

On or about February 15, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 798 cases of tomato puree, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Hobbs Tomato Products Co., from Hobbs, Ind., December 12, 1925, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed and putrid vegetable substance.

On June 22, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14448. Adulteration and misbranding of ground beef scraps and meat scraps. U. S. v. Norfolk Tallow Co. Plea of guilty. Fine, \$100. (F. & D. No. 19630. I. S. Nos. 15235-v, 16651-v, 16687-v.)

On September 24, 1925, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Norfolk Tallow Co., a corporation, Norfolk, Va., alleging shipment by said company, in violation of the food and drugs act as amended, on or about February 16, 1924, from the State of Virginia into the State of Maryland, of a quantity of ground beef scraps, and on or about May 15 and 27, 1924, from the State of Virginia into the States of South Carolina and Florida, respectively, of quantities of meat scraps, all of which were adulterated and misbranded. The articles were labeled, variously, in part: (Bag) "Square Deal Ground Beef Scraps * * * Guaranteed Analysis Protein 55 to 65% * * * Fiber 1 to 2%," (tag) "100 Lbs. Net Notalco Extra Quality Meat